



ELLIS & WINTERS LLP

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Education

J.D., CAMPBELL UNIVERSITY

B.A., FURMAN UNIVERSITY

Practice Areas

- Fires and Explosions
- Medical Malpractice Defense
- Pharmaceutical and Medical Device
- Products Liability
- Torts and Insurance



Ashley Brathwaite's practice is divided between the representation of health care providers, product manufacturers and distributors, and others facing allegations of liability for a catastrophic personal injury. She regularly defends cases involving claims of negligence, professional malpractice, breach of warranty, fraud, unfair and deceptive trade practices, and gross negligence.

Examples of Ashley's experience include:

- Defending emergency medical providers through a jury trial that resulted in a defense verdict.
- Advising healthcare providers related to investigations initiated by the North Carolina Medical Board, the North Carolina Board of Nursing, and the Centers for Medicare and Medicaid Services.
- Representing distributors of surgical products involved in consumer fraud litigation.
- Defending manufacturers of medical devices, including those used in the fields of urogynecology, orthopedics, and interventional radiology in national litigation.
- Representing the owners and operators of assisted living, skilled nursing, and adult care facilities.
- Defending clients involved in commercial and mass tort litigation in South Carolina.

Awards and Honors

- *The Best Lawyers in America*®, Litigation-Healthcare (2019)
- *Business North Carolina*, Legal Elite, Young Guns (2011-2016), Litigation (2016-2017)
- North Carolina *Super Lawyers* Magazine, Personal Injury - Medical Malpractice, Personal Injury - Products, Personal Injury - General, Business Litigation (2017-2018)
 - "North Carolina Rising Star" (2013-2015)
- AV Preeminent Rated, Martindale-Hubbell

Professional Associations and Memberships

- North Carolina Association of Defense Attorneys
 - Treasurer (2018-present)
 - Board of Directors (2015-2018)
 - Chair of Women Litigator Committee (2014-2015)
 - Co-Chair of the Women Litigator Committee (2013-2014)
- DRI
 - Drug and Medical Device Committee; Publications Chair for the Experts/Complex Medicine Substantive Law Group
 - Women in the Law Committee; Steering Committee Liaison to the Drug and Medical Device Committee
- North Carolina Society of Healthcare Attorneys
 - Co-editor of *Prognosis* (2009-2012)
- North Carolina Bar Association, Health Law Section

- 10th Judicial Bar
 - Bar Candidate Interview Committee (2006-present)
 - Board of Directors (2010-2012)
- Wake County Bar Association
 - Current Chair; Membership Committee
 - Board of Directors (2010-2012)
- North Carolina Supreme Court Historical Society
 - Board of Trustees (2012-2017)
- American Bar Association
 - Women in Product Liability Committee

Presentations

- Ms. Brathwaite presents to clients on a range of risk management and litigation-related issues such as personal injury claim investigation, electronic medical records, and working with local trial courts.
- Ms. Brathwaite also provides case law updates and presentations on current legal trends to clients, medical groups, and associations. Topics have included:
 - Medical malpractice case law
 - South Carolina medical negligence
 - Electronic discovery issues and HIPAA
 - Products liability
 - Current trends in asbestos litigation
 - Prescription drug and medical device litigation
 - Other multi-plaintiff areas of litigation

Prior Experience

Ms. Brathwaite began working with the Vice President for Marketing and Public Affairs at the largest hospital system in South Carolina while she was an undergraduate at Furman University. She continued in her role as Internal Communications Coordinator after graduation before deciding to attend law school. While in law school, she received a scholarship that allowed her to complete an internship with the Honorable Judge John M. Tyson on the North Carolina Court of Appeals. Ms. Brathwaite also competed at the regional and then national level as a member of the Campbell Law Moot Court Board and was inducted into the Order of the Barristers.